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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,549

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Tareq Risheq

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08/19/2005

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EXAMINER

GHATT, DAVE A

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,549	<b>Applicant(s)</b> RISHEQ, TAREQ	
	<b>Examiner</b> Dave A. Ghatt	<b>Art Unit</b> 2854	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5-22 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8 and 19-22 is/are allowed.
- 6) ☒ Claim(s) 1-3,5,9-18 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5, 15, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Sandbach et al. (US 6,585,162). Insofar as structure is recited, Sandbach et al. anticipates the claimed invention. With respect to claims 1 and 25, as shown in Figure 7, Sandbach et al. teaches an apparatus for communicating data to a detached device, the apparatus comprising an alphanumeric keyboard (comprising layers 701-709, and 711), the keyboard comprising a plurality of keys (means for generating characters) 716, the keyboard having a lower surface 702, the keyboard being configured to communicate data representative of alphanumeric information to the device, and an object (cushioning means) 750 attached to the keyboard along at least a portion of the lower surface of the keyboard, the object 750 being adapted for providing a cushioned region between the keyboard and a resting place (column 4 lines 1-8). The applicant should note that claim 1 does not require a remote device as recited.

With respect to the requirement for the object to be substantially flat at its lower surface when not in contact with the resting places, Sandbach et al. teaches this requirement. The keyboard of Sandbach et al. may be held with its edges pulled apart to maintain a flat lower surface when the keyboard is not in contact with the resting place. With respect to the requirement for the object to be configured to modify its flatness to conform, *at least in part*, to the shape of the resting place while substantially maintaining the shape of the keyboard, Figure 5 illustrates this requirement. The applicant should note that the keyboard of Sandbach et al. must substantially maintain its shape in order to be operated to generate alphanumeric characters.

With respect to claim 2, as shown in Figure 2, the object 750 comprises a housing configured to contain substantially the entire lower surface 702 of the keyboard so that the plurality of keys 716 are exposed to a user.

With respect to claim 3, Sandbach et al. teaches in column 12 lines 8-18, an embodiment of the support layer that includes polyester fibers.

With respect to claim 5, Figure 5 shows the support conforming to the shape of the resting place, having a substantially V-shaped lower surface to align with two thighs.

With respect to claim 15, the alpha numeric keyboard taught Sandbach et al. in column 4 lines 25-35 comprises data representative of a Latin-based alphabet.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sandbach et al. (US 6,585,162). Sandbach et al. teaches all the claimed subject matter except Sandbach et al. does not teach a detached device to which data is communicated. To one of ordinary skill in the art, it would be obvious to use the keyboard and electronic processor 302, taught by Sandbach et al., to communicate data to a satellite receiver, in order to send information to other remote electronic processors within a wireless network. Furthermore, electronic processors as taught by Sandbach et al. are routinely used to send data via wireless transmission.

5. Claims 9-13, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandbach et al. (US 6,585,162) in view of Amro et al. (US 6,664,949). With respect to claims 9-13 and 16, as outlined above, Sandbach et al. teaches a keyboard that includes all the recited structure, except for a wireless transmitter configured to communicate to a wireless signal representative of a key pressed by a user. Amro et al. teaches a keyboard similar to that of Sandbach et al. Figure 1 of Amro et al. illustrates a keyboard 102, which as outlined in column 4 lines 34-42 sends IR wireless signals indicative of a key pressed by a user. Column 6 lines 44-53 also teach the RF signals. Column 3 lines 1-13 teach the use of transmitters for sending the wireless signals. To one of ordinary skill in the art, it would have been obvious to use a wireless controls and mechanisms as taught by Amro et al. in the apparatus of Sandbach et al. in order to enable communication with any of a plurality of remote data processing units, as taught by Amro et al. in column 1 line 66 to column 2 line 2.

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With respect to claim 11, although Sandbach et al. and Amro et al. does not specifically outline transmission in the ISM band, to one of ordinary skill in the art, it would be obvious to include transmission in this range in order to have signals that can be communicated worldwide.

With respect to claim 17, both the data processing means 201 of the main references Sandbach et al., and the data processing means of secondary reference 104 have screens to display alphanumeric symbols entered by a user.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Meyers et al. (US 6,708,228) in view of Sandbach et al. (US 6,585,162). Meyers et al. teaches in column 8 lines 9-52, a wireless keyboard arrangement including additional peripheral devices as recited. Column 8 lines 9-52 teach a wireless keyboard arrangement having a microphone, video camera, speakers and processors to receive video and audio information for communicating with remote devices. Meyers et al. teaches all the claimed subject matter except for an arrangement that includes a keyboard with a cushioning arrangement as outlined in claim 1. Sandbach et al. teaches a keyboard arrangement similar to the keyboard of Meyers et al. Sandbach et al. teaches an alphanumeric keyboard (comprising layers 701-709, and 711), the keyboard comprising a plurality of keys (means for generating characters) 716, the keyboard having a lower surface 702, the keyboard being configured to communicate data representative of alphanumeric information to the device, and an object (cushioning means) 750 attached to the keyboard along at least a portion of the lower surface of the keyboard, the object 750 being adapted for providing a cushioned region between the keyboard and a resting place (column 4 lines 1-8). With respect to the requirement for the object to be substantially flat at its lower surface when not in contact with the resting places, Sandbach et al. teaches this requirement. The keyboard of Sandbach et

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al. may be held with its edges pulled apart to maintain a flat lower surface when the keyboard is not in contact with the resting place. With respect to the requirement for the object to be configured to modify its flatness to conform, *at least in part*, to the shape of the resting place while substantially maintaining the shape of the keyboard, Figure 5 illustrates this requirement. The applicant should note that the keyboard of Sandbach et al. must substantially maintain its shape in order to be operated to generate alphanumeric characters. To one of ordinary skill in the art, it would have been obvious to use the keyboard as taught by Sandbach et al. in the arrangement of Meyers et al. in order to provide cushioned support as outlined in column 4 lines 1-12.

#### ***Allowable Subject Matter***

7. Claims 6-8 and 19-22 are allowed.

Claim 19 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total method claimed, including the steps of connecting the transmitter to the alphanumeric keyboard, and selecting the cushioned object to have a shape resembling a toy or sports object, wherein the toy or sport object comprises one of a soccer ball, a football, basket ball, and a volley ball.

#### ***Response to Amendments/Arguments***

Applicant's amendments and arguments filed June 13, 2005 have been fully considered by the examiner. In view of the amendments to claim 6, claims 6-8 have been allowed. Similarly, in view of the amendments made to claim 19, claims 19-22 have been allowed.

With respect to the amendments and arguments made regarding claims 1 and 25, the examiner respectfully disagrees. As outlined in the rejection statement, the prior art reference to Sandbach et al. teaches all the claim limitations. With respect to the requirement for the object to be configured to modify its flatness to conform, *at least in part*, to the shape of the resting place while substantially maintaining the shape of the keyboard, Figure 5 illustrates this requirement. The applicant should note that the keyboard of Sandbach et al. must substantially maintain its shape in order to be operated to generate alphanumeric characters.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant's attention is invited to the patents to Scott (US 5,893,540 teaching a keyboard with an object attached to a portion of the lower surface, the configured to modify its flatness) and Grassel (Des 402,643 teaching a keyboard with an object attached to a portion of the lower surface).

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period



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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



**REN YAN  
PRIMARY EXAMINER**